

UTAH LEGISLATURE

Natural Resources, Agriculture, and Environment Interim Committee

June 20, 2018

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Division of Waste Management and Radiation Control



UTAH DEPARTMENT *of*
ENVIRONMENTAL QUALITY
**WASTE MANAGEMENT
& RADIATION CONTROL**

Sunset Review
Used Oil Management Act
(19-6-701 et seq.)

Purpose of the Used Oil Program

- Ensure proper management of used oil to protect public health and the environment
- Foster recycling of used oil throughout the state



Used Oil Program Goals

- Eliminate, or reduce, the obstacles to proper collection and disposal of do-it-yourselfer (DIYer) used oil
- Make used oil collection centers more accessible
- Maintain pertinent standards and regulations that apply to oil handlers



What is Used Oil?

- Oil refined from crude oil or a synthetic oil
 - Has been used and
 - Is contaminated by physical or chemical impurities
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- Uses of used oil
 - Original use as a lubricant
 - Processed/Re-refined or burned for energy recovery



Legislative Findings – Used Oil

- Millions of gallons generated annually in Utah:
 - Valuable petroleum resource that can be recycled
 - Significant quantities are wastefully disposed of or improperly used by means that pollute the water, land and air, and endanger public health and safety
- Used oil should be collected, treated, and reused in a manner that conserves energy and does not present a hazard to public health or the environment
- Collection, recycling, and reuse of used oil in the public interest

1 USED OIL MANAGEMENT
2 1993
3 GENERAL SESSION
4 Enrolled Copy
5 S. B. No. 12 By LeRay McAllister
6 AN ACT RELATING TO HEALTH AND ENVIRONMENT; REVISING PROVISIONS REGARDING
7 MANAGEMENT OF USED OIL, INCLUDING COLLECTION OF HOUSEHOLD USED OIL;
8 PLACING THE USED OIL PROGRAM UNDER THE DEPARTMENT OF ENVIRONMENTAL
9 QUALITY; REQUIRING PERMITTING OR REGISTRATION OF SPECIFIED USED OIL
10 HANDLERS; IMPOSING A FEE ON CERTAIN OIL TO FUND THIS PART; PROVIDING
11 RETRIBUTION FOR HOUSEHOLD USED OIL COLLECTORS; PROVIDING A SUNSET

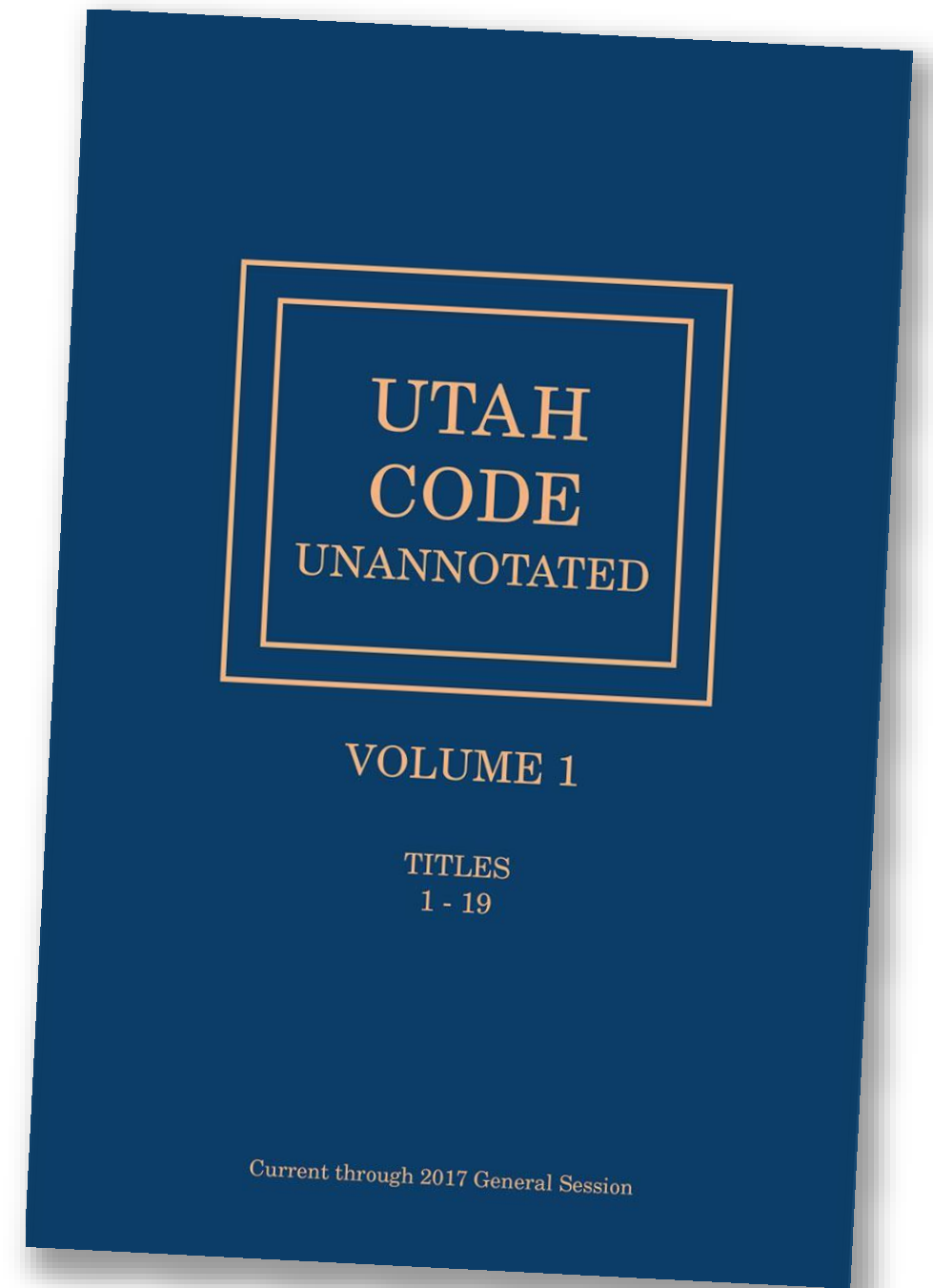
S. B. No. 12

1 Section 2. Section 19-6-702, Utah Code Annotated 1953, is enacted to
2 read:
3 19-6-702. **Legislative findings.**
4 (1) The Legislature finds millions of gallons of used oil are
5 generated each year in Utah, and this oil is:
6 (a) a valuable petroleum resource that can be recycled; and
7 (b) in spite of the potential for recycling, significant quantities
8 of used oil are wastefully disposed of or improperly used by means that
9 pollute the water, land, and air, and endanger the public health, safety,
10 and welfare.
11 (2) The Legislature finds used oil should be collected, treated, and
12 reused in a manner that conserves energy and does not present a hazard to
13 public health or the environment.
14 (3) The Legislature finds in light of the harmful consequences that
15 can result from the improper disposal and use of used oil, and its value
16 as a resource, the collection, recycling, and reuse of used oil is in the
17 public interest.
18 Section 3. Section 19-6-703, Utah Code Annotated 1953, is enacted to
19 read:
20 19-6-703. **Definitions.**
21 (1) "Board" means the Solid and Hazardous Waste Control Board
22 created in Section 19-1-106.
23 (2) "Commission" means the State Tax Commission.
24 (3) "Department" means the Department of Environmental Quality
25 created in Title 19, Chapter 1, General Provisions.

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Program History

- Used Oil Management Act enacted in 1993 (S.B. 12, LeRay McAllister)
- Implementing rules established in 1994
- EPA promulgated federal used oil rules in 1992
- Utah's primacy of used oil program authorized by EPA in 1999 (64 FR 2144)



Used Oil Management Act

- Sunsets July 1, 2019
- Last reauthorized: 2009 General Session (S.B. 143)

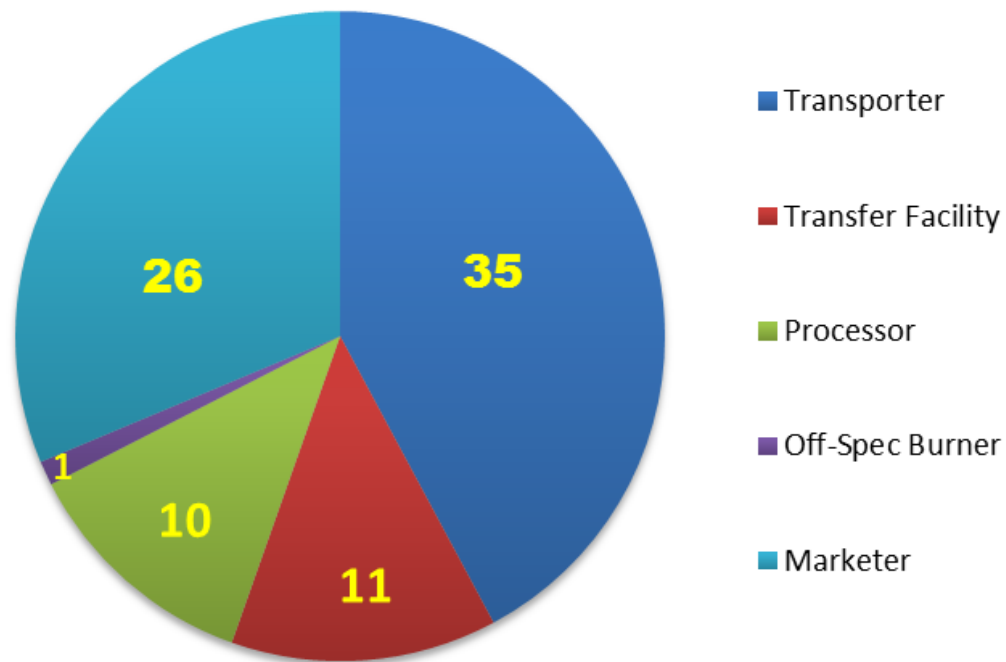
Enrolled Copy		S.B. 143
SUNSET ACT AND REPEALERS REAUTHORIZATIONS 2009 GENERAL SESSION STATE OF UTAH		
S.B. 143	Enrolled Copy	
30	63I-1-261, as renumbered and amended by Laws of Utah 2008, Chapter 382	
31	63I-1-262, as last amended by Laws of Utah 2008, Chapter 136 and renumbered and	
32	amended by Laws of Utah 2008, Chapter 382	
33	63I-1-263, as last amended by Laws of Utah 2008, Chapters 148, 334, 339 and	sunset
34	renumbered and amended by Laws of Utah 2008, Chapter 382	
35	63I-1-278, as last amended by Laws of Utah 2008, Chapters 3, 148 and renumbered	
36	and amended by Laws of Utah 2008, Chapter 382	
37	63I-2-226, as renumbered and amended by Laws of Utah 2008, Chapter 382	o sunset
38		
39	<i>Be it enacted by the Legislature of the state of Utah:</i>	
40	Section 1. Section 63I-1-219 is amended to read:	
41	63I-1-219. Repeal dates, Title 19.	
42	(1) Title 19, Chapter 2, Air Conservation Act, is repealed July 1, [2009] 2014.	
43	(2) Title 19, Chapter 3, Radiation Control Act, is repealed July 1, 2012.	
44	(3) Title 19, Chapter 4, Safe Drinking Water Act, is repealed July 1, [2009] 2019.	
45	(4) Title 19, Chapter 5, Water Quality Act, is repealed July 1, [2009] 2019.	
46	(5) Title 19, Chapter 6, Part 1, Solid and Hazardous Waste Act, is repealed July 1,	
47	[2009] 2019.	
48	(6) Title 19, Chapter 6, Part 3, Hazardous Substances Mitigation Act, is repealed July	
49	1, 2010.	
50	(7) Title 19, Chapter 6, Part 4, Underground Storage Tank Act, is repealed July 1,	
51	2018.	
52	(8) Title 19, Chapter 6, Part 6, Lead Acid Battery Disposal, is repealed July 1, 2016.	
53	(9) Title 19, Chapter 6, Part 7, Used Oil Management Act, is repealed July 1, [2009]	
54	2019.	
55	(10) Title 19, Chapter 6, Part 8, Waste Tire Recycling Act, is repealed July 1, 2010.	
56	(11) Title 19, Chapter 6, Part 10, Mercury Switch Removal Act, is repealed July 1,	
57	2012.	
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Program Overview

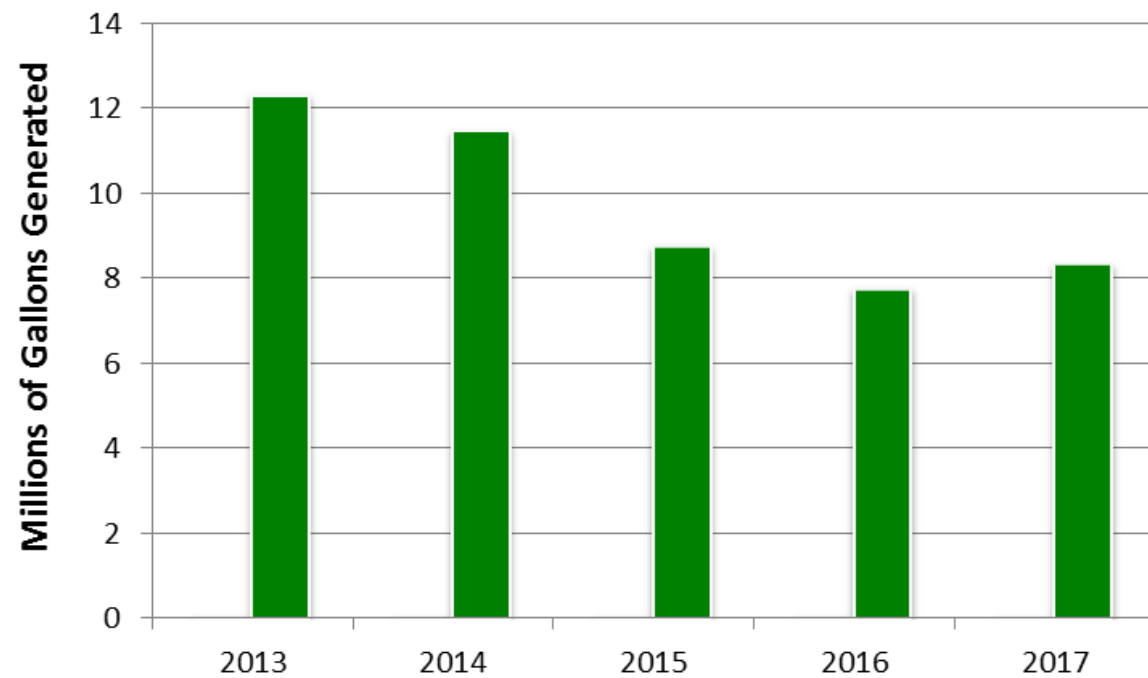
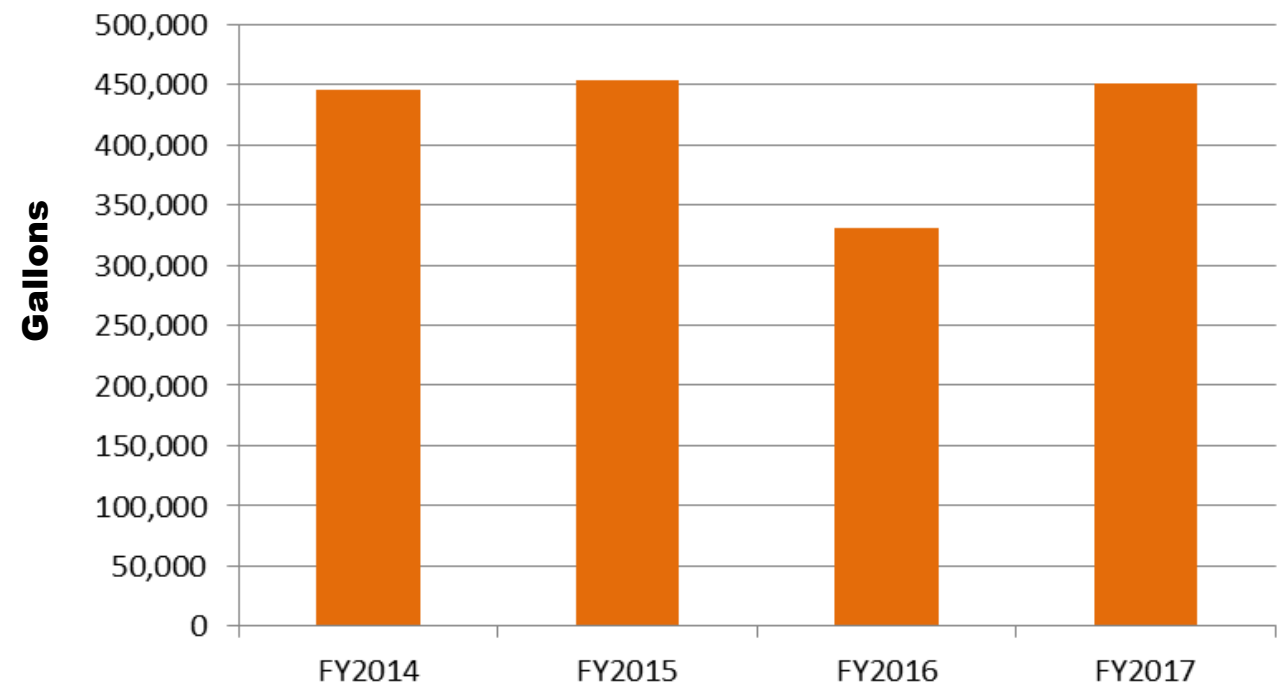
- Funding – Fee on point of first sale of lubricating oil in Utah
(\$.04/quart or \$.16/gallon) – Used Oil Collection Administration Acct.
Supports DIYer used oil management
- Do-it-yourselfer (DIYer) used oil collection
Reimbursed \$.16/gallon
- Used oil management
 - Generators
 - Transporters, transfer facilities
 - Marketers
 - Off-spec Burners
 - Processors / Re-refiners
- Prohibits land disposal

Used Oil Program Dashboard

Used Oil Permitted Facilities



DIYer Used Oil Collection Center Totals



439
DIYer Used Oil
Collection
Centers

Program Overview -- DIYer

- Establish and support used oil collection centers (UOCC)
- Free service to public
- Process reimbursements to UOCCs
- Develop public education and outreach
- Local health department contracts
- Award grants



Examples

Used Oil Permitted Facilities & Collection Centers



Safety Kleen-Transporter



Thermo Fluids- Processor



Walmart



**Salt Lake County Landfill
Used Oil Collection**

Program Benefits

- Since 1995
 - 235,624,354 gallons of used oil collected
 - 9,641,862 gallons of used oil collected by DIYer collection centers
- Educational outreach
- Continued convenience of collection centers



Program Support

- Used Oil recycling industry
- Small and large business owners
- DIYer collection centers
- Community Involvement
- Educational outreach



If Not Reauthorized

- EPA becomes lead agency in Utah
- Loss of state-led public and private collaboration to promote and maintain used oil recycling market in Utah
- Loss of Utah's commitment to its citizens to sustain proper management of used oil as a valuable petroleum resource
- Loss of financial stability of the used oil recycling market in Utah

Recommendation

- Used Oil Management Act and program fulfill legislative vision that used oil is a valuable petroleum resource for Utah
- Used oil recycling an ongoing success
- Program funding sustains the broad stakeholder involvement and support
- **Reauthorize Used Oil Management Act for 10 years (2029)**